

IN THE SUPREME COURT OF THE STATE OF NEVADA

LAS VEGAS METROPOLITAN
POLICE DEPARTMENT,
Appellant/Cross-Respondent,

vs.

AMERICAN BROADCASTING
COMPANIES, INC.; THE ASSOCIATED
PRESS; CABLE NWES NETWORK,
INC.; CHESAPEAKE MEDIA I, LLC,
D/B/A KSNV-TV; LOS ANGELES
TIMES COMMUNICATIONS, LLC;
THE NEW YORK TIMES COMPANY;
SCRIPPS BROADCASTING
HOLDINGS, LLC; WP COMPANY,
LLC, D/B/A THE WASHINGTON POST,

Respondents,

LAS VEGAS REVIEW-JOURNAL,
Respondent/Cross-Appellant.

Electronically Filed
Dec 27 2018 12:49 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

SUPREME COURT CASE NO.:
75518

**MOTION FOR LEAVE TO FILE RESPONSE IN EXCESS OF PAGE
LIMITATION**

APPEAL FROM EIGHTH JUDICIAL DISTRICT COURT, CLARK COUNTY
THE HONORABLE STEFANY MILEY, DISTRICT JUDGE
DISTRICT COURT CASE NOS.: A764030; A764169

Margaret A. McLetchie, Nevada Bar No. 10931

Alina M. Shell, Nevada Bar No. 11711

MCLETCHIE LAW

701 East Bridger Ave., Suite 520

Las Vegas, Nevada 89101

Counsel for Respondent/ Cross-Appellant, Las Vegas Review-Journal

Respondent/Cross-Appellant the Las Vegas Review-Journal, by and through its counsel, Alina M. Shell, hereby moves this Court, pursuant to Nevada Rule of Appellate Procedure (“NRAP”) 32(a)(7)(D), to file an Opposition to the Las Vegas Metropolitan Police Department’s December 20, 2018 Motion to Strike Respondents’ Appendices and Motion to Stay Briefing that exceeds the ten-page limit imposed by NRAP 27(d)(2). This Motion is supported by the attached declaration of counsel.

DATED this 27th day of December, 2018.

/s/ Alina M. Shell

Margaret A. McLetchie, Nevada Bar No. 10931

Alina M. Shell, Nevada Bar No. 11711

MCLECHIE LAW

701 East Bridger Ave., Suite 520

Las Vegas, Nevada 89101

Counsel for Respondent/Cross-Appellant,

Las Vegas Review-Journal

DECLARATION OF ALINA M. SHELL

[illegible]

I, Alina M. Shell, declare, pursuant to Nev. Rev. Stat. § 53.330, as follows:

1. I am counsel for Respondent/Cross-Appellant the Las Vegas Review-Journal (“Review-Journal”) in this matter. I have personal knowledge of all matters contained herein and am competent to testify thereto.

2. The Las Vegas Metropolitan Police Department (“Metro”) is appealing two orders of a district court for the Eighth Judicial District Court granting the Review-Journal’s petition for public records pertaining to the October 1, 2017 shooting at the Route 91 Harvest Music Festival and outlining the permissible fees Metro may charge in producing those records. The Review-Journal is cross-appelling those orders.

3. On December 20, 2018, Metro filed a Motion to Strike the Review-Journal's Respondent's Appendix and Motion to Stay Briefing.

4. Pursuant to NRAP 27(d)(2), a response to a motion may not exceed 10 pages absent leave from the Court.

5. In preparing the proposed Opposition to Metro's Motion, I endeavored to present the arguments as succinctly as possible. However, to address the arguments presented by Metro in the Motion, I required more than the 10-page limit

set by NRAP 27(d)(2). The proposed Opposition, which is being submitted concurrently with this motion, is just over eleven (11) pages.

6. I believe that any reduction to this Opposition would materially detract from the Review-Journal's presentation of its response to the arguments presented in Metro's Motion. In order to demonstrate why the documents included in the Review-Journal's Appendix should not be stricken and to demonstrate that a stay of the briefing schedule is unwarranted, I required the additional page to adequately present the grounds which weigh against Metro's Motion.

7. I therefore respectfully request this Court grant the Review-Journal leave to file a response in excess of the normal page limitations.

8. This Motion is not made for the purposes of delay or any other improper purpose, but to ensure that I provide competent and effective representation to the Review-Journal. *See Nev. R. Prof. Conduct 1.1.*

I certify under the penalty of perjury that the foregoing is true and correct.

Executed this 27th day of December, 2018.

/s/ Alina M. Shell

Margaret A. McLetchie, Nevada Bar No. 10931

Alina M. Shell, Nevada Bar No. 11711

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Las Vegas, Nevada 89101

Counsel for Respondent/Cross-Appellant,

Las Vegas Review-Journal

CERTIFICATE OF SERVICE

I hereby certify that the foregoing MOTION FOR LEAVE TO FILE RESPONSE IN EXCESS OF PAGE LIMITATION was filed electronically with the Nevada Supreme Court on the 27th day of December, 2018. Electronic service of the foregoing document shall be made in accordance with the Master Service List as follows:

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/s/ Pharan Burchfield
Employee of McLetchie Law